

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE APPLICATION OF EXCEL TELECOM-)	
MUNICATIONS, INC. FOR A CERTIFICATE)	
OF PUBLIC CONVENIENCE AND NECESSITY)	CASE NO. 89-359
TO TRANSACT THE BUSINESS OF A)	
RESELLER OF TELECOMMUNICATIONS)	
SERVICES WITHIN THE STATE OF)	
KENTUCKY)	

O R D E R

On December 8, 1989, Excel Telecommunications, Inc. ("Excel") filed its application with the Commission seeking a Certificate of Public Convenience and Necessity to provide intrastate interLATA telecommunications services as a reseller within the Commonwealth of Kentucky.

The Commission ordered Excel to file additional information by Orders dated January 10, 1990, February 16, 1990 and March 28, 1990. Excel filed its responses on January 31, 1990, February 5, 1990, March 30, 1990 and April 11, 1990.

Excel is organized as a corporation in the state of Texas. The financial, managerial, and technical capabilities of Excel are demonstrated in the application. Kenny A. Trout, president and sole director of Excel, has been involved in the interexchange telecommunications business since December 1988 and has managerial expertise. Excel presently provides interexchange

telecommunications services to Texas business and residential customers. The network planning and technical assistance services are provided through a contractor who has been in business since October 1987. The employees of the contractor have adequate telecommunications and marketing experiences. The financial qualifications of Excel are shown in Exhibit II of its application. Article IV of "Articles of Incorporation" authorizes Excel to issue 100,000 shares of stock of no par value. Currently, 100,000 shares have been issued and are privately held by the sole director of the company. Excel has issued no preference or preferred stock. Excel has issued no bonds, has no debts, nor has it entered into any security agreements or mortgages against company property. No dividends have been paid since the date of incorporation.

The Commission, having considered the application of Excel, its supporting exhibits, the information provided by Excel in response to the Commission's Orders, and being otherwise sufficiently advised, finds that Excel should be granted authority to provide intrastate interLATA long-distance telecommunications services as a non-dominant carrier within the Commonwealth of Kentucky on and after the date of this Order.

IT IS THEREFORE ORDERED that:

1. Excel be and it hereby is granted authority to provide intrastate interLATA long-distance telecommunications services as a non-dominant carrier within the Commonwealth of Kentucky on and after the date of this Order.

2. Excel shall comply with the provisions of the May 25, 1984 and October 26, 1984 Orders in Administrative Case No. 273.¹

3. This authority to provide service is strictly limited to those services described in this Order and Excel's application.

4. Within 30 days from the date of this Order, Excel shall file its tariff sheets in accordance with 807 KAR 5:011 to conform to the restrictions and conditions of service contained herein.

Done at Frankfort, Kentucky, this 29th day of May, 1990.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman


Commissioner

ATTEST:


Executive Director

¹ Administrative Case No. 273, An Inquiry Into Inter- and IntraLATA Intrastate Competition in Toll and Related Services Markets in Kentucky.